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EXAMINER	
GENCO, BRIAN C	

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/316,033	HATAKEYAMA, KOUKI	
	Examiner	Art Unit	
	Brian C Genco	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1,2,10-12,15-17 and 20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1,2,10-12,15-17 and 20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Applicant's amendments to the claims filed December 28, 2004 has overcome the grounds of rejection previously presented. New grounds of rejection are presented herein bellow.

While new grounds of rejection are being presented the arguments that were presented in Applicants amendment are still material to the grounds of rejection bellow and as such will be answered.

Applicant argues that Matsuo discloses that switch 18 detects whether the memory card is inserted or not, contrary to the Examiner's assertions that the connector 17 detects whether a memory card is inserted or not.

In response, Examiner notes that on page 4 of the Final Rejection mailed on June 29, 2004 that the Examiner correctly identified the card detecting switch 18 of Matsuo's disclosure. It is unclear to what assertion that Applicant is referring to where the Examiner stated that the connector 17 detects whether a memory card is inserted or not.

Applicant argues that Matsuo only discloses turning on/off the power supply in conjunction with the inserting/pulling out of the memory card.

Examiner notes that Uryu discloses on column 6, lines 15-25 that the detecting of the opening of the card cover can be regarded as the demounting detecting of the card. As such, the teachings of the combined references as a whole lend themselves to turn on/off power upon the detection of the stated of the card cover.

In response to applicant's arguments against the Matsuo reference individually, Examiner notes that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant argues that there is no disclosure that is directed to suspending power to any portion of the device. Matsuo merely discloses turning on/off the power to the device.

In response, Examiner notes that turning off a device is suspending power to a portion of the device.

Applicant argues that the combination Uryu and Matsuo cannot be made since the combination would change the principle operation of the prior art being modified. In particular, Applicant argues that while Uryu anticipates the situation of opening the card cover during image processing, it may be possible that the image processing is interrupted and the image data is not written in the card, this is the exact problem that Uryu is trying to solve.

In response, Examiner notes column 1, lines 45-46 of Uryu where it is disclosed that the object of the invention is to avoid "the inadvertent demounting of the memory card during access to it", not to avoid the loss of image data that is still being processed. Applicant then refers to column 8, lines 60-66 as evidence of Uryu trying to solve the problem brought about by the loss of data described on lines 34-36, however this is a different situation entirely than that in lines 34-36. In particular, as illustrated in Fig. 9, the situation on lines 34-36 is that illustrated at the first detection of whether or not the card cover is open. The situation on lines 60-66 is referring

to the section detection of whether or not the card cover is open after writing to the card has started.

As such, the principle operation of the prior art being modified would not be changed should an operation to terminate power be put into effect upon detecting that the card cover is open as long as writing to the card has not already started.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 11, 12, 16, and 17 rejected under 35 U.S.C. 102(b) as being anticipated by (JP 08-096493 to Maeda). Refer to the machine assisted translation submitted along with this Office Action.

In regards to claim 1 Maeda discloses an electronic camera comprising:

an imaging part for driving an imaging device to capture image data representing an image of a subject (e.g., Fig. 1);

an external storage medium interface for writing the image data captured by the imaging part into an external storage medium (e.g., hard disk unit 18 of Fig. 1);

a connector for detachably connecting the external storage medium to the external storage medium interface (e.g., elements 131 and 181 of Fig. 5);

an external storage medium chamber for receiving the external storage medium

connected to the external storage medium interface, the external storage medium chamber having an opening through which the external storage medium is received (e.g., Figs. 5):

a lid for closing the opening of the external storage medium chamber (e.g., lid 12 of Fig. 5);

a power supply part for supplying power to components of the camera (e.g., power supply part element 28 of Fig. 5; paragraph 0050);

a master switch for turning on and off the power supply part, wherein the master switch is a switch to be operated manually (e.g., there is inherently some sort of manually operated master switch in at least through the insertion/removal of batteries or other power supply to the camera);

a detector for detecting that the lid is opened and closed (e.g., switch 15 of Fig. 5; paragraph 0047).

a controller for performing suspension of a power supply from the power supply part when the detector detects that the lid is opened while the master switch is on (e.g., Fig. 9; paragraphs 0046-0051), and for performing resumption of the power supply from the power supply part when the detector detects that the lid is closed during the suspension of the power supply (e.g., power is inherently resumed upon detecting that the lid is closed, otherwise once the power was suspended it would never be restarted again), wherein when the detector detects that the lid is opened while the master switch is turned on, the controller suspends the power supply from the power supply part to at least the external storage medium while maintaining the power supply from the power supply part to the detector while the master switch is on (e.g., Fig. 9; paragraphs 0046-0051).

In regards to claim 2 see Examiner's notes on the rejection of claim 1. Note that the power is suspended to the external storage medium.

In regards to claims 11, 12, 16, and 17 see Examiner's notes on the rejections above.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 10, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over (JP 08-096493 to Maeda) in view of (USPN 5,179,505 to Matsuo) in further view of (USPN 5,423,045 to Kannan et al).

In regards to claim 10 Maeda does not disclose nor preclude the controller has a timer for measuring elapsed time since the power supply from the power supply part is suspended, and the controller turns off the master switch when the elapsed time reaches a predetermined time while the detector does not detect that the lid is closed.

Matsuo discloses to turn off power to the camera when the memory card is detected to be removed so as to prevent unnecessary consumption of power when picture taking is impossible (column 4, lines 53-63). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added Matsuo's power termination method in order to prevent unnecessary consumption of power when picture taking is impossible.

Kannan discloses, as is very well known and established in the electronic art, a state diagram in Fig. 5 wherein if a camera is in a normal mode it can be switched to a standby state by either a period of inactivity or by performing an event to cause the electronics to go into a

standby state. Further Kannan discloses that if the electronics are in a standby state for a predetermined time then the power is fully turned off (column 5, lines 39-53). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have placed the camera in a standby mode when removing the memory card instead of turning off the power in order to realize a quicker startup time and/or conserve power. Further it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have added the step of terminating power after a predetermined time in a standby state in order to further conserve power.

As such, the combination of references as a whole teach that upon detecting that the lid is opened suspending power to the hard disk and placing the camera in a standby mode for conserving power while allowing for fast startup and upon being in a standby mode for a predetermined period turning off the master switch.

Claims 1, 2, 10-12, 15-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 6,542,186 to Uryu) in view of (USPN 5,179,505 to Matsuo) in further view of (USPN 5,423,045 to Kannan et al).

In regards to claim 1 Uryu discloses an electronic camera comprising:

an imaging part for driving an imaging device to capture image data representing an image of a subject (e.g., Fig. 1);

an external storage medium interface for writing the image data captured by the imaging part into an external storage medium (e.g., element 110 of Fig. 1);

a connector for detachably connecting the external storage medium to the

external storage medium interface (e.g., column 5, lines 20-23; Figs. 1, 3, and 5);

an external storage medium chamber for receiving the external storage medium connected to the external storage medium interface, the external storage medium chamber having an opening through which the external storage medium is received (e.g., Figs. 1, 3, and 5):

a lid for closing the opening of the external storage medium chamber (e.g., element 57 of Figs. 2 and 3);

a power supply part for supplying power to components of the camera (e.g., a power supply is inherent with any electronic camera);

a master switch for turning on and off the power supply part, wherein the master switch is a switch to be operated manually (e.g., element 52 of Figs. 2 and 3; column 5, lines 51-52);

a detector for detecting that the lid is opened and closed (e.g., element 120 of Figs. 1 and 3; column 6, lines 2-4).

Uryu further discloses that the opening of the lid is a detection of removing the memory card (column 6, lines 15-25).

Uryu does not disclose nor preclude a controller for performing suspension of a power supply from the power supply part when the detector detects that the lid is opened while the master switch is on, and for performing resumption of the power supply from the power supply part when the detector detects that the lid is closed during the suspension of the power supply, wherein when the detector detects that the lid is opened while the master switch is turned on, the controller suspends the power supply from the power supply part to at least the external storage

medium while maintaining the power supply from the power supply part to the detector while the master switch is on.

Matsuo discloses to turn off power to the camera when the memory card is detected to be removed so as to prevent unnecessary consumption of power when picture taking is impossible (column 4, lines 53-63). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added Matsuo's power termination method in order to prevent unnecessary consumption of power when picture taking is impossible. As such, the combination teaches a controller for performing suspension of a power supply from the power supply part when the detector detects that the lid is opened while the master switch is on.

Matsuo further discloses a card detecting switch 18 for detecting whether or not a memory card is loaded into the chamber (column 4, lines 53-56). Therefore it would have been obvious to one of ordinary skill in the art to have added the card detecting switch 18 such that the resumption of power is valid when the lid is closed again. As such, resumption of the power supply from the power supply part when the detector detects that the lid is closed during the suspension of the power supply is performed.

Examiner notes that it is implicit with the Matsuo reference that when the power is suspended the detector still receives power so that it can detect when the lid is closed. Otherwise, once the lid was opened and power was suspended it would never be able to be turned back on. As such, the detector clearly still has power supplied to it during the power suspension mode

Uryu in view of Matsuo still does not disclose nor preclude the limitation that the controller suspends the power supply from the power supply part to at least the external storage

medium while maintaining the power supply from the power supply part to the detector while the master switch is on. In particular, Uryu in view of Matsuo discloses suspending power through turning off the master switch.

Kannan discloses, as is very well known and established in the electronic art, a state diagram in Fig. 5 wherein if a camera is in a normal mode it can be switched to a standby state by either a period of inactivity or by performing an event to cause the electronics to go into a standby state. Further Kannan discloses that if the electronics are in a standby state for a predetermined time then the power is fully turned off (column 5, lines 39-53). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have placed the camera in a standby mode when removing the memory card instead of turning off the power in order to realize a quicker startup time and/or conserve power. Further it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have added the step of terminating power after a predetermined time in a standby state in order to further conserve power. As such, the master switch is still on upon the suspension of power.

In regards to claim 2 see Examiners notes on the rejection of claim 1.

In regards to claim 10 neither Uryu nor Matsuo disclose nor preclude the electronic camera as defined in claim 1, wherein:

the controller has a timer for measuring elapsed time since the power supply from the power supply part is suspended, and the controller turns off the master switch when the elapsed time reaches a predetermined time while the detector does not detect that the lid is closed.

Kannan discloses, as is very well known and established in the electronic art, a state diagram in Fig. 5 wherein if a camera is in a normal mode it can be switched to a standby state by either a period of inactivity or by performing an event to cause the electronics to go into a standby state. Further Kannan discloses that if the electronics are in a standby state for a predetermined time then the power is fully turned off (column 5, lines 39-53). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have placed the camera in a standby mode when removing the memory card instead of turning off the power in order to realize a quicker startup time and/or conserve power. Further it would have been obvious to one of ordinary skill in the art at the time of the invention if necessary to have added the step of terminating power after a predetermined time in a standby state in order to further conserve power.

In regards to claim 11 see Examiners notes on the rejection of claim 1. Note that the claimed chamber mechanism is implicit with any memory card chamber. Note in particular the disclosure on column 5, lines 20-24. Further note the obvious addition of Matsuo's card detecting switch for detecting whether the connector is electrically connected to the external storage medium.

In regards to claim 12 see Examiners notes on the rejection of claims 1 and 11.

In regards to claim 15 see Examiners notes on the rejection of claims 10 and 11.

In regards to claims 16 and 17 see Examiners notes on the rejections above.

In regards to claim 20 see Examiners notes on the rejection of claims 10 and 16.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian C. Genco who can be reached by phone at 703-305-7881 or by fax at 703-746-8325. The examiner can normally be reached on Monday thru Friday 8:30am to 4:30 pm. Due to the impending move of the Patent and Trademark Office this contact information will soon change. Effective on or around March 2, 2005 Brian C. Genco will be able to be reached by telephone at 571-272-7364 or by fax at 571-273-7364.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Thai Tran can be reached at 703-305-4725. Effective on or around March 3, 2005 Thai Tran can be reached at 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-308-4357.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian C Genco
Examiner
Art Unit 2615

January 25, 2005